

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case No. 1:23-CV-00423-WO-JLW**

TIMIA CHAPLIN, *et al.*,

Plaintiffs,

v.

GARRY L. MCFADDEN, *et al.*,

Defendants.

**CONSENT MOTION FOR
EXTENSION OF TIME TO REPLY TO
PLAINTIFFS' RESPONSE TO SHERIFF
MCFADDEN'S MOTION TO DISMISS**

NOW COMES Defendant Garry L. McFadden, in his official capacity as the Sheriff of Mecklenburg County ("Sheriff McFadden"), through undersigned counsel and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 6.1, and requests a short extension of ten (10) days, up to and including June 7, 2024, to reply to Plaintiffs' response to Sheriff McFadden's Motion to Dismiss. In support of this Motion, Sheriff McFadden states as follows:

1. Plaintiffs filed their Complaint on May 23, 2023, their First Amended Complaint on October 27, 2023, and their Second Amended Complaint adding Garry L. McFadden, officially as the Sheriff of Mecklenburg County, on February 28, 2024.
2. On April 9, 2024, Sheriff McFadden timely moved to dismiss the Second Amended Complaint. (Doc. 95).
3. On May 7, 2024, Plaintiffs responded to Sheriff McFadden's Motion to Dismiss. (Doc. 101).

4. Sheriff McFadden requires additional time to reply to Plaintiffs' response to his Motion to Dismiss. In addition to a normal caseload, Sheriff McFadden requires additional time to investigate the authorities, arguments, and new exhibits relied upon by Plaintiffs in their response. Moreover, the current deadline for Sheriff McFadden's Reply, May 28, 2024, falls the day after the Memorial Day weekend, when counsel and clients will be traveling and on vacation.

5. This Motion is made in good faith and not for the purpose of delay.

6. Pursuant to Local Civil Rule 6.1(a), the undersigned consulted with counsel for Plaintiffs, who consent to this Motion.

WHEREFORE, Sheriff McFadden hereby requests a ten (10) day extension of time to reply to Plaintiffs' response to his Motion to Dismiss, through and including June 7, 2024.

Respectfully submitted, this the 23rd day of May, 2024.

WOMBLE BOND DICKINSON (US) LLP

s/Michael A. Ingersoll

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*Counsel for Defendant Garry L. McFadden,
officially, as the Sheriff of Mecklenburg County*

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that copies of the foregoing will be served on the following by the Court's CM/ECF system:

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